

Re. : Amendment and Response to Office Action Mailed September 8, 2005
Appl. No. : 10/728,284
Filed : December 4, 2003

III. REMARKS

The Office Action rejected Claims 1-14. By the foregoing amendments, Applicants amended Claims 1 and 7-11; and added new Claims 15-27 to further clarify, more clearly define and/or broaden the claimed invention, and expedite receiving a notice of allowance. In addition, Applicants amended the specification to address several objections raised by the Examiner in the Office Action. Pursuant to 37 C.F.R. § 1.121(f), no new matter is introduced by these amendments.

After these amendments, Claims 1-27 are now pending in the application. Applicants believe that Claims 1-27 are now in condition for allowance.

Please note that Applicants' remarks are presented in the order in which the issues were raised in the Office Action for the convenience and reference of the Examiner. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants' discussion and understanding of the references, if any, is consistent with the Examiner's. Further, the following remarks are not intended to be an exhaustive enumeration of the distinctions between any particular reference and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and that reference.

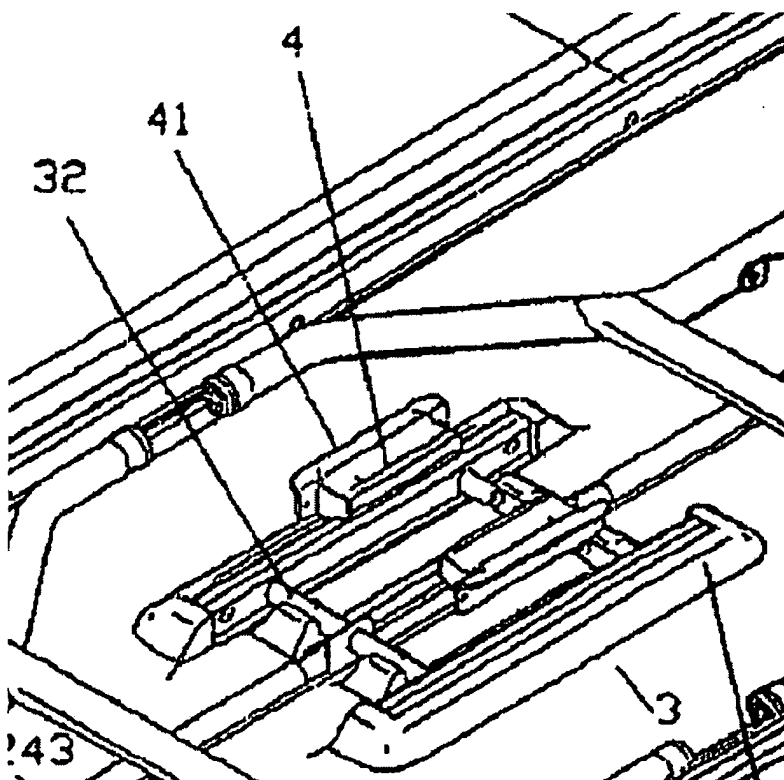
A. Objection to the Drawings

The Office Action objected to the drawings under 37 CFR 1.83(a). The Office Action stated that the drawings must show every feature of the invention specified in the claims. The Office also stated that a detailed drawing of the handle is required to show the relationship of the

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L-iron to the handle portion and connecting portion must be shown or the feature(s) canceled from the claim(s). In addition, the Office stated that no new matter should be entered.

Applicants respectfully traverse this objection because every feature of the invention specified in the claims is shown in the drawings. In particular, the handle, L-iron, handle portion and connecting portion are shown in the drawings and the relationship between these features is described in the specification. For example, Figure 1, an enlarged portion of which is shown below, shows the handle 4, the L-iron 41, the handle portion and the connecting portion:



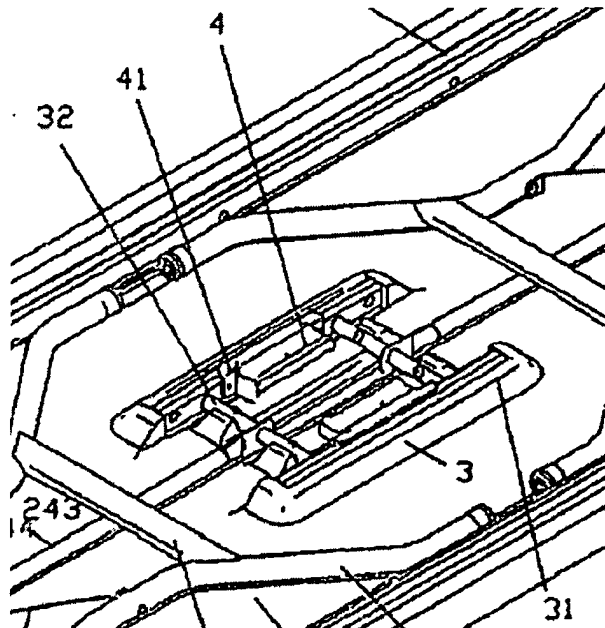
The specification explains that the handle may include both a handle portion and a connecting portion. The specification also states that the connecting portion may consist of the L-iron. In particular, the specification states:

The handles 4 include a handle portion and a connecting portion. In one embodiment, the connecting portion is an angled L-iron 41.

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Paragraph [023]. Thus, these features are both shown in the drawings and described in the specification.

As shown in Figure 2, an enlarged portion of which is shown below, the handle 4 may be connected to a connecting member 31:



The specification also states that the handles may be connected to connecting members 31. For example, the specification states:

The handles 4 are attached to the inner sides of the connecting members 31 by means of the L-irons 41.

Paragraph [023]. Accordingly, the handle, L-iron, handle portion and connecting portion are shown in the drawings and described in the specification. Because the drawings show every feature of the invention specified in the claims, Applicants submit that the drawings need not be amended and request that this objection to the drawings be withdrawn.

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B. First Objection to the Specification

The Office Action stated that the disclosure is objected to because of an incomplete disclosure of the related co-pending application in the cross reference section on page 1 of the specification.

As set forth above, Applicants amended paragraph [001] to include the serial number of co-pending U.S. Patent Application Serial No. 10/692,141, entitled Blow-Molded Table with Center Handle, filed October 24, 2003, (attorney docket No. 15865.8a.1). In view of this amendment, Applicants request that this rejection be withdrawn.

C. Second Objection to the Specification

The Office Action stated that the disclosure is objected to because page 8, paragraph 24, line 2 states “opposing beams 31” and the reference number 31 and the context of the sentence implies that the phrase should be “connecting members 31.”

As set forth above, Applicants amended paragraph [024] to replace “opposing beams” with “connecting members” in conformity with the other portions paragraph [024] and other portions of the specification. In view of this amendment, Applicants request that this rejection be withdrawn.

D. Third Objection to the Disclosure

The Office Action stated that the disclosure is objected to because the differences in each figure should be described in the brief description section on page 6.

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As set forth above, Applicants amended paragraphs [016] to [018] in the brief description of the drawings section of the patent application to clarify the differences in each of the figures. In view of these clarify amendments, Applicants request that this rejection be withdrawn.

E. Rejection under 35 U.S.C. § 102(e)

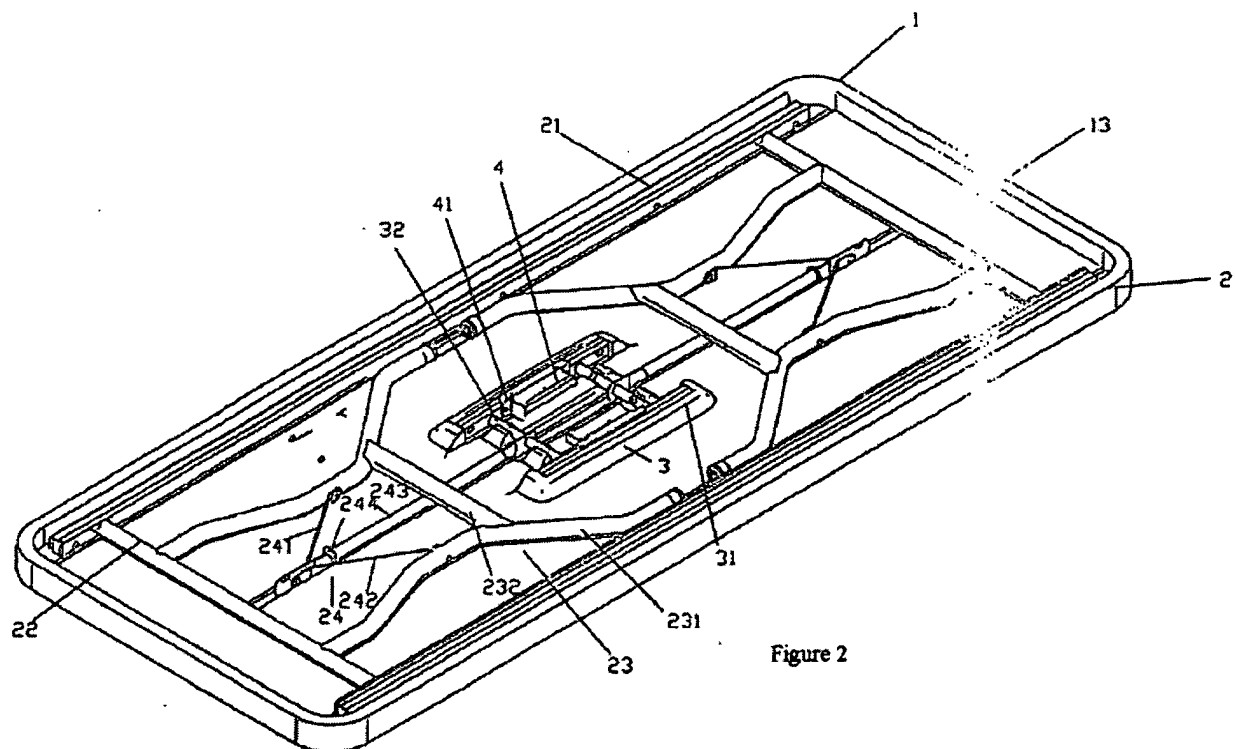
The Office Action rejected Claims 1, 2, 4-10 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,662,644 issued to Buono.

Applicants respectfully traverse this rejection at least because the Buono 644 patent fails to disclose each and every limitation of Claims 1, 2, 4-10. Nevertheless, as mentioned above, to further clarify, more clearly define and/or broaden the claimed invention, and expedite receiving a notice of allowance, Applicants have amended Claim 1.

For example, Applicants amended Claim 1 to provide “a first connecting rod connected to the first connecting member; a first support assembly connected to the first leg assembly and the first connecting rod; and a handle attached to the inner side of the first connecting member, the handle being spaced apart from the first connecting rod.” Thus, Claim 1 now positively recites **a first connecting rod is connected to the first connecting member; a first support assembly is connected to the first leg assembly and the first connecting rod; and a handle is attached to the inner side of the first connecting member, the handle being spaced apart from the first connecting rod.** Accordingly, the handle is spaced apart from the first connecting rod.

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Support for this amendment may be found, *inter alia*, in Figure 2 and in the specification. As shown in the Figure 2, a support assembly 24 may be connected to a leg assembly 23 and to a connecting rod 32:



In addition, the specification explains how the support assembly 24 may be connected to a leg assembly 23 and to a connecting rod 32:

A frame is attached to the lip 2. The frame is composed of two side rails 21, two end rails 22, two sets of leg assemblies 23, and two support assemblies 24. The two side rails 21 are spaced apart and attached to lip 2 on opposing sides of the table top 1. The two end rails 22 are spaced apart and each is pivotally attached to the same end of two side rails 21. Each leg assembly 23 includes two leg tubes 231 connected by a cross bar 232. One end of each set of leg assemblies 23 is secured to the two end rails 22.

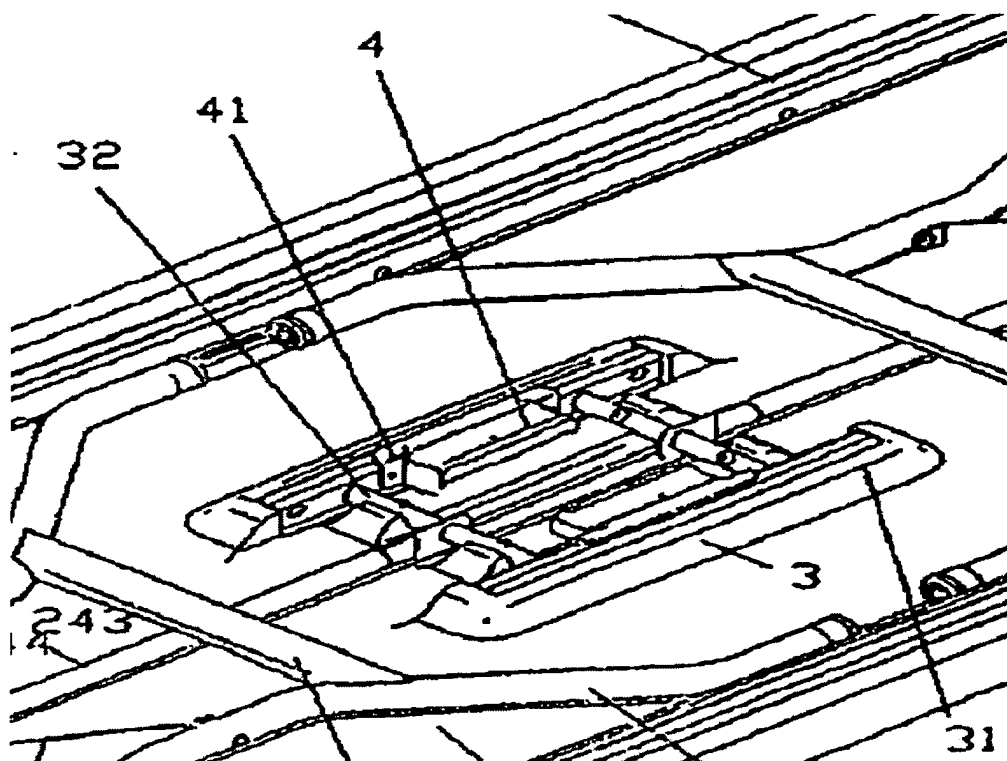
Each support assembly 24 includes three rod elements 241, 242, and 243. Two rod elements, the first 241 and the second 242, are separately and pivotally connected at one end a lower part of a leg tube 231. At the other end, each is pivotally connected together to one end of the third rod element 243. The pivotal

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connection of these three rod elements is selectively encircled by a locking ring 244 to keep the leg assemblies 23 from folding and thereby to strengthen the support provided by the leg assemblies 23. The other end of the rod element 243 is pivotally connected to the bottom surface of the table top by a connecting rod 32. The connecting rod 32 is configured to have the opposing ends thereof connect to a connecting assembly 3.

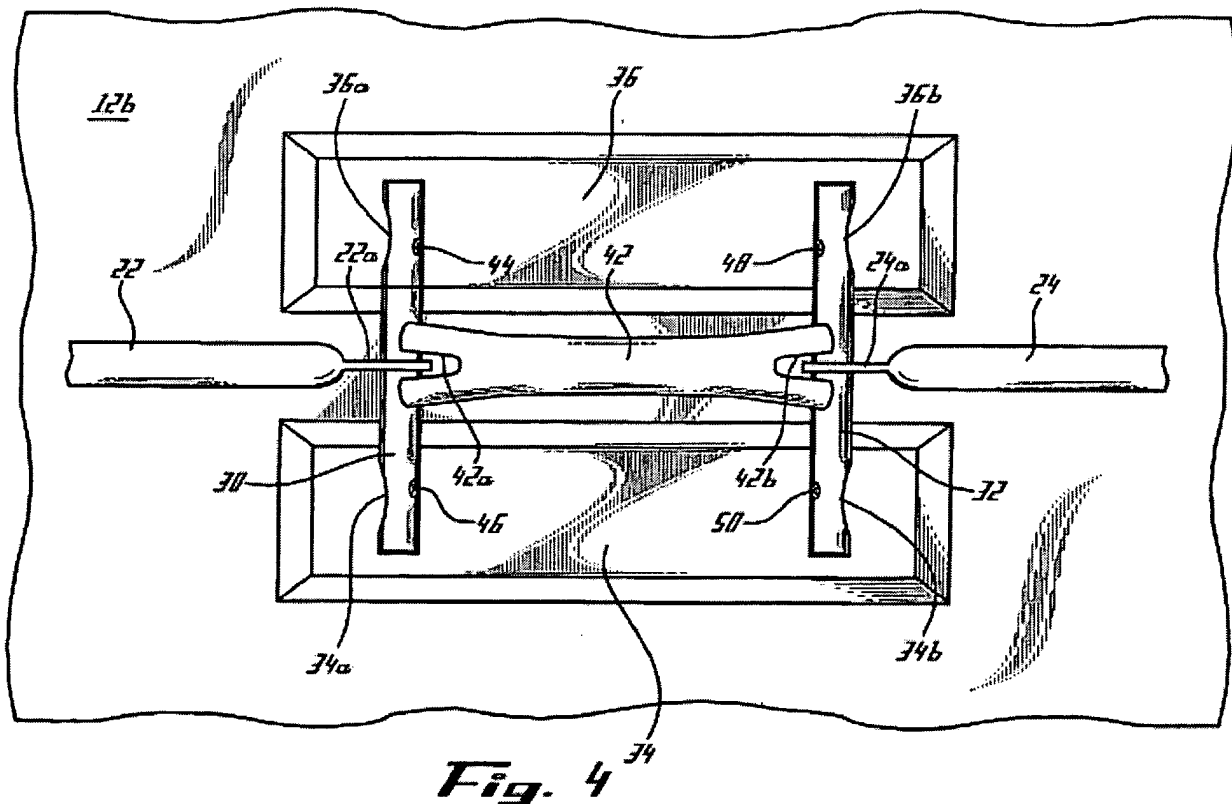
The connecting assembly 3 is formed on a central portion of the bottom surface of the table top 1. The connecting assembly 3 includes a first pair of connecting members 31 spaced apart and fixed to the bottom surface of the table top 1. The connecting members 31 are parallel to the side rails 21. A first connecting rod 32 is disposed transversely or perpendicularly to the two connecting members 31. In one embodiment, as shown in Figure 1, a pair of connecting rods 32 are connected to the connecting members 31, thus forming a II structure. Additional retention members may be formed on the bottom surface of the table top between the connecting member 31 to engage the connecting rods 32 to provide reinforcement thereto.

Specification paragraphs [020] to [022]. As shown in the following portion of Figure 2, the handle 4 may be connected to the connecting member 31 and may be spaced apart from the connecting rod 32.



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In contrast, as shown in its Figure 4, the Buono '644 patent discloses a handle 42 that is directly attached to the pivot bars 30, 32.



In particular, the Buono 644 patent states:

As shown in FIG. 4, the preferred embodiment of the invention includes a handle 42 secured between and perpendicular to the pivot bars 30 and 32. In the preferred embodiment, the handle 42 is formed of tubular steel, and is secured at each end to the pivot bars 30 and 32 by welding. However, one skilled in the art will appreciate that the handle 42 could be attached to the pivot bars 30 and 32 by other means, such as using screws or other fasteners.

Col. 6, lines 16-29. The Buono '644 patent explains this direct attachment prevents the lateral movement of the support bars 22, 24.

Preferably, the handle has notches 42a and 42b at each end which straddle the ends 22a and 24a of the support bars 22 and 24. In this manner, the ends 22a and

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24a of the support bars 22 and 24 are captured within the notches 42a and 42b to prevent lateral movement of the support bars 22 and 24 with respect to the pivot bars 30 and 32.

Col. 6, lines 23-29. Thus, the Buono '644 patent does not teach, suggest or disclose each and every element of Claim 1. In fact, the Buono '644 patent teaches away from spacing its handle 42 apart from its pivot bars 30, 32.

Accordingly, Applicants submit that Claim 1 is allowable over the cited reference and request that this rejection of Claim 1 be withdrawn. In addition, Applicants submit that Claims 2, 4-7 and 9, which are dependent on Claim 1 are allowable for at least the same reasons as Claim 1. Thus, Applicants respectfully request that this Section 102(e) rejection of Claims 1, 2, 4-7 and 9 be withdrawn.

F. First Rejection under 35 U.S.C. § 103(a)

The Office Action rejected Claim 11 under 35 U.S.C. § 103(a) as being unpatentable over the Buono '644 patent. The Office Action states that although the Buono '644 patent does not expressly disclose third and fourth connecting members, it would have been obvious matter of design choice to modify the Buono '644 patent by having the first and second connecting members split into two to make a third and fourth connecting members.

Applicants respectfully traverse this rejection. Nevertheless, as discussed above, Applicants amended Claim 1 and it is now allowable in view of the Buono '644 patent. Because Claim 1 is now allowable, dependent Claim 11 should also be allowable for at least the same reasons as Claim 1. Consequently, Applicants request that this Section 103(a) rejection be withdrawn.

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G. Second Rejection under 35 U.S.C. § 103(a)

The Office Action rejected Claim 3 under 35 U.S.C. § 103(a) as being unpatentable over the Buono 644 patent in view of U.S. Patent No. 3,187,859 issued to Maziarka.

Applicants respectfully traverse this rejection at least because the cited references, either alone or in combination, fail to teach, suggest or disclose each and every limitation of Claim 3. Nevertheless, as discussed above, Applicants amended Claim 1 and submit that Claim 1 is allowable. Consequently, Applicants submit that Claim 3, which depends from Claim 1, is allowable for at least the same reasons as Claim 1 and therefore request that this Section 103(a) rejection be withdrawn.

H. New Claims

Applicants added new Claims 15-24 to more fully define the claimed invention and are believed to be fully distinguished over the cited references.

CONCLUSION

In view of the foregoing, Applicants submit that Claims 1-7, 9 and 11-24 are allowable over the cited references and are in condition for allowance. Accordingly, Applicants request that a Notice of Allowance be promptly issued.


If any further impediments to allowance of this application remain, the Examiner is cordially invited to contact the undersigned by telephone so that these remaining issues may be promptly resolved.

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The Commissioner is authorized to charge payment of any additional fees associated with this communication, which have not otherwise been paid, to Deposit Account No. 23-3178. If any additional extension of time is required, which have not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Respectfully submitted,

Dated: January 9, 2006

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